REMARKS

Applicant has carefully studied the outstanding Office Action in the present application. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Applicants express their appreciation to Examiner Coulter for the courtesy of an interview granted to inventor Amir Peless and to applicants' representative, Sanford T. Colb. The interview was held on April 2, 2003 at the U.S.P.T.O. The substance of the interview is set forth in the Interview Summary, Paper No. 12. The amendments made herein are in accordance with that stated in the Interview Summary.

Claims 5 - 9 and 18, 21 - 27 stand rejected under 35 U.S.C. 102(e) as being disclosed by Rochberger et al ('146).

Claims 5 - 11 and 18, 19 and 21 - 27 stand rejected under 35 U.S.C. 102(e) as being disclosed by Bare ('318).

Claims 5 - 11 and 18, 19 and 21 - 27 stand rejected under 35 U.S.C. 102(e) as being disclosed by Kenner et al ('239).

Claim 5 has been canceled without prejudice.

As noted in the interview Rochberger does not show or suggest dealing with additional requests as recited in claim 6.

Rochberger also does not show or suggest monitoring current load on servers as claimed in claim 7, but rather monitors link capacity.

With regard to claims 18 and 21 - 27, Rochberger does not show or suggest network proximity being determined by combinations of at least two of the recited parameters in claims 18, 21 and 24 - 26. Claims 22 and 23 have been canceled without prejudice.

Turning to Bare, as noted in the interview, Bare relates to switch-to-switch communication and does not relate at all to client requests. Accordingly, the rejections of the claims over Bare are deemed to be overcome.

With regard to Kenner et al, as noted in the interview Kenner does not show or suggest dealing with additional requests as recited in claim 6.

Kenner also does not show or suggest monitoring current load on servers as claimed in claim 7. Furthermore, Kenner does not show or suggest network proximity being determined combinations of at least two of the recited parameters in claims 10, 18, 19, 21 and 24 - 26. Kenner relates to reduction in the number of hops as a means to reduce network delay but not in relation to network latency or network proximity.
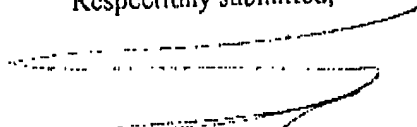
It is respectfully noted that claim 11 is substantially identical to claim 20, which was indicated to be allowable by the Examiner.

Claims 5, 8, 9, 22, 23 and 27 have been canceled without prejudice, leaving only claims 6, 7, 10, 11, 13, 18 - 21, 24 - 26 and 28 in the case.

Applicant reserves the right to pursue the claims as filed in the context of a continuation application.

In view of the foregoing amendments, all of the claims are deemed to be allowable. Favorable reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,

Sanford T. Colb (Reg. No. 26,856)